

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

FILED IN OPEN COURT

NO. 5:20-CR-113-1M(4)

ON 3/5/2020 STS  
Peter A. Moore, Jr., Clerk  
US District Court  
Eastern District of NC

UNITED STATES OF AMERICA

v.

BYRON RENE BENAVIDES-CAMPOS

INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about July 14, 2016, in the Eastern District North Carolina, and elsewhere, the defendant, BYRON RENE BENAVIDES-CAMPOS, did knowingly attempt to procure his naturalization as a United States citizen contrary to law, by making a false statement under oath regarding his naturalization application, that is:

- a. On Part 12, Item 1 of defendant BENAVIDES-CAMPOS's Application for Naturalization (Form N-400), in response to the question "Have you EVER claimed to be a U.S. citizen (in writing or any other way)?" he answered "No" when in fact as he then knew, he had claimed to be a United States citizen in a voter registration application on September 5, 2014.
- b. On Part 12, Item 2 of defendant BENAVIDES-CAMPOS's Application for Naturalization (Form N-400), in response to the question "Have you EVER registered to vote in any Federal, State, or local election in the United States?" he answered "No" when in fact as he then knew, he had registered to vote on September 5, 2014.

All in violation of Title 18, United States Code, Section 1425(a).

## **COUNT TWO**

On or about July 14, 2016, in the Eastern District of North Carolina, and elsewhere, the defendant, BYRON RENE BENAVIDES-CAMPOS, did knowingly make under oath, and did knowingly subscribe as true under penalty of perjury under Title 28, United States Code, Section 1746, a false statement with respect to a material fact in an application required by the immigration laws and regulations prescribed thereunder, that is, defendant BENAVIDES-CAMPOS stated falsely in an Application for Naturalization (Form N-400) that he had never claimed to be a United States citizen and he had never registered to vote in any Federal, State, and local election in the United States, when in fact, as he then and there knew, he had claimed to be a United States citizen and registered to vote in a Federal, State, and local election on September 5, 2014.

All in violation of Title 18, United States Code, Section 1546(a).

## **COUNT THREE**

On or about July 14, 2016, in the Eastern District of North Carolina, and elsewhere, the defendant, BYRON RENE BENAVIDES-CAMPOS, did knowingly make a false statement under oath in a case, proceeding, and matter relating to, and under, and by virtue of any law of the United States relating to naturalization, citizenship, and registry of aliens, that is, defendant BENAVIDES-CAMPOS stated falsely under oath in an Application for Naturalization (Form N-400) that he had never claimed to be a United States citizen and he had never registered to vote in any

Federal, State, and local election in the United States, when in fact, as he then and there knew, he had claimed to be a United States citizen and registered to vote in a Federal, State, and local election on September 5, 2014.

All in violation of Title 18, United States Code, Section 1015(a).

#### **COUNT FOUR**

On or about December 22, 2016, in the Eastern District North Carolina, and elsewhere, the defendant, BYRON RENE BENAVIDES-CAMPOS, did knowingly attempt to procure his naturalization as a United States citizen contrary to law, by making a false statement under oath regarding his naturalization application, that is:

- a. On Part 12, Item 1 of defendant BENAVIDES-CAMPOS's Application for Naturalization (Form N-400), in response to the question "Have you EVER claimed to be a U.S. citizen (in writing or any other way)?" he answered "No" when in fact as he then knew, he had claimed to be a United States citizen in a voter registration application on September 5, 2014.
- b. On Part 12, Item 2 of defendant BENAVIDES-CAMPOS's Application for Naturalization (Form N-400), in response to the question "Have you EVER registered to vote in any Federal, State, or local election in the United States?" he answered "No" when in fact as he then knew, he had registered to vote on September 5, 2014.

All in violation of Title 18, United States Code, Section 1425(a).

#### **COUNT FIVE**

On or about December 22, 2016, in the Eastern District of North Carolina, and elsewhere, the defendant, BYRON RENE BENAVIDES-CAMPOS, did knowingly

make under oath, and did knowingly subscribe as true under penalty of perjury under Title 28, United States Code, Section 1746, a false statement with respect to a material fact in an application required by the immigration laws and regulations prescribed thereunder, that is, defendant BENAVIDES-CAMPOS, stated falsely in an Application for Naturalization (Form N-400) that he had never claimed to be a United States citizen and he had never registered to vote in any Federal, State, and local election in the United States, when in fact, as he then and there knew, he had claimed to be a United States citizen and registered to vote in a Federal, State, and local election on September 5, 2014.

All in violation of Title 18, United States Code, Section 1546(a).

#### **COUNT SIX**

On or about December 22, 2016, in the Eastern District of North Carolina and elsewhere, the defendant, BYRON RENE BENAVIDES-CAMPOS, did knowingly make a false statement under oath in a case, proceeding, and matter relating to, and under, and by virtue of any law of the United States relating to naturalization, citizenship, and registry of aliens, that is, defendant BENAVIDES-CAMPOS stated falsely under oath in an Application for Naturalization (Form N-400) that he had never claimed to be a United States citizen and he had never registered to vote in any Federal, State, and local election in the United States, when in fact, as he then and there knew, he had claimed to be a United States citizen and registered to vote in a Federal, State, and local election on September 5, 2014.

All in violation of Title 18, United States Code, Section 1015(a).

A TRUE BILL

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

FOR PERSON

3-5-2020

DATE

ROBERT J. HIGDON  
United States Attorney

Sebastian Kielmanovich  
BY: SEBASTIAN KIELMANOVICH  
Assistant United States Attorney